

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.Nos.3951 and 3952 of 2016 and
WMP Nos.3297 and 3298 of 2016

Shri Naveetha Krishnaswamy

Bajanai Maddam

"Kavarai Naidu Maha Sabha"

represented by its Founder and

Managing Trustee

E.Chakravarthy

W-906, Syndicate Bank Colony,

Anna Nagar West,

Chennai

.. Petitioner in W.P.Nos.3951 and
3952 of 2016

Vs.

1. The Sub-Registrar

Tha. Pazhur

Ariyalur District

Pincode - 612 904

... 1st respondent in W.P.No.3951 of
2016

1. The Sub-Registrar,

Jayankondam, Near

Police Station,

Jayankondam, Ariyalur District

Pincode - 621 802

... 1st respondent in W.P.no.3952 of
2016

2. The Tahsildar

Udayarpalayam Taluk,

Ariyalur District

Pincode - 621 804

.. 2nd Respondent in W.P.Nos.3951 and
3952 of 2016

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass appropriate orders in accordance with the directions given by the 2nd respondent in his order dated 29.07.2015, bearing file reference number N.K.AA1/6375/2015 and N.K.AA1/6378/2015 respectively by reclassifying the lands comprised in Survey field numbers 1/6 and 336/1B, 336/8, 337/7 and 340/7 respectively in Udayanatham West village, Udayarpalayam Taluk, Ariyalur District and in Devamangalam village, Udayarpalayam Taluk, Ariyalur District respectively as

Ryotwari Punjai land instead of Government/Others and accordingly fix the guideline value as per the prevailing norms, rules and regulations in favour of the petitioner herein.

For Petitioner : M/s Ganesh and Ganesh

For respondents: Mrs.P.Rajalakshmi
Government Advocate

C O M M O N O R D E R

With the consent of both sides, these Writ Petitions are taken up for final disposal.

2. These Writ Petitions have been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass appropriate orders in accordance with the directions given by the 2nd respondent in his order dated 29.07.2015, bearing file reference number N.K.AA1/6375/2015 and N.K.AA1/6378/2015 respectively by reclassifying the lands comprised in Survey field numbers 1/6 and 336/1B, 336/8, 337/7 and 340/7 respectively in Udayanatham West village, Udayarpalayam Taluk, Ariyalur District and in Devamangalam village, Udayarpalayam Taluk, Ariyalur District respectively as Ryotwari Punjai land instead of Government/Others and accordingly fix the guideline value as per the prevailing norms, rules and regulations in favour of the petitioner herein.

3. The petitioner herein, is the founder and Managing Trustee of the 'Bajanai Maddam'. The properties are situated at Udayanatham West Village, Udayarpalayam Taluk, Ariyalur District and at Devamangalam Village, Udayarpalayam Talu, Ariyalur District respectively comprised in Survey field numbers 1/6 and 336/1B respectively, measuring an extent of 77.50 acres and 6.50 acres respectively comprised in Patta Numbers 710 and 5 respectively. The said patta was issued by the 2nd respondent, namely, Tahsildar, Ariyalur District in favour of "Shri Naveetha Krishnaswamy Bajanai Maddam" . The village accounts for the aforesaid property, namely, Chitta and 'A' register extract are also available only in the name of the said Maddam. The 'A' extract clearly discloses that the Survey Field Numbers 1/6 and 336/1B, 336/8, 337/7 and 340/7 respectively is a Ryotwari Punjai Land and it is comprised in Patta Nos.710 and 5 respectively in the name of said Maddam. But the lands were not in use for a long period of time and there was no proper management of the earlier trustees of the Maddam.

4. While so, in order to manage the said Maddam, new trustees were formed and only thereafter it was found that though survey field numbers 1/6 and 336/1B, 336/8, 337/7 and

340/7 respectively was very well a Ryotwari Punjai land as per Revenue records of the Udayanatham West Village, the District, Department of Registration has wrongly classified the said land as Government / others. Accordingly, the Registration Department was treating the same as a Government land. Hence a representation was given to the Tahsildar, Udayarpalayam to direct the 1st respondent herein to reclassify the land which was comprised in Survey Field Numbers 1/6 in Udayanatham West Village and 336/1B, 336/8, 337/7 and 340/7 in Devamangalam Village respectively as a Ryotwari Punjai land instead of treating the same as Government land.

5. After receiving the representation, the 2nd respondent/ Tahsildar has made enquiries and after duly receiving the report of the Revenue Inspector of Tha.Pazhur and Revenue Inspector, Udayarpalayam respectively on 16.04.2015 and 22.07.2015 respectively, made an order on 29.07.2015 stating that land in Survey Nos.1/6 in Udayanatham West Village and 336/1B, 336/8, 337/7 and 340/7 in Devamangalam Village respectively is a patta land and further he has given directions to the 1st respondent respectively to fix the guideline value for the same. Even though, this order was communicated to the 1st respondent in the month of August 2015, inspite of the same, no order has been passed. Therefore, with no other alternative, the petitioner has come forward with these present Writ Petitions.

6. Considering the facts and circumstances of the case, this Court directs the 1st respondent respectively to pass appropriate orders based on the order dated 29.07.2015 issued by the Revenue Inspector Tha.Pazhar and Revenue Inspector, Udayarpalayam respectively within a period of six weeks from the date of receipt of copy of this order by affording opportunity of personal hearing to the petitioner as well as to the necessary parties.

These Writ Petitions are disposed of on the above terms. Consequently, connected Miscellaneous Petitions are closed. No costs.

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Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Sub-Registrar
Tha. Pazhur
Ariyalur District
Pincode - 612 904

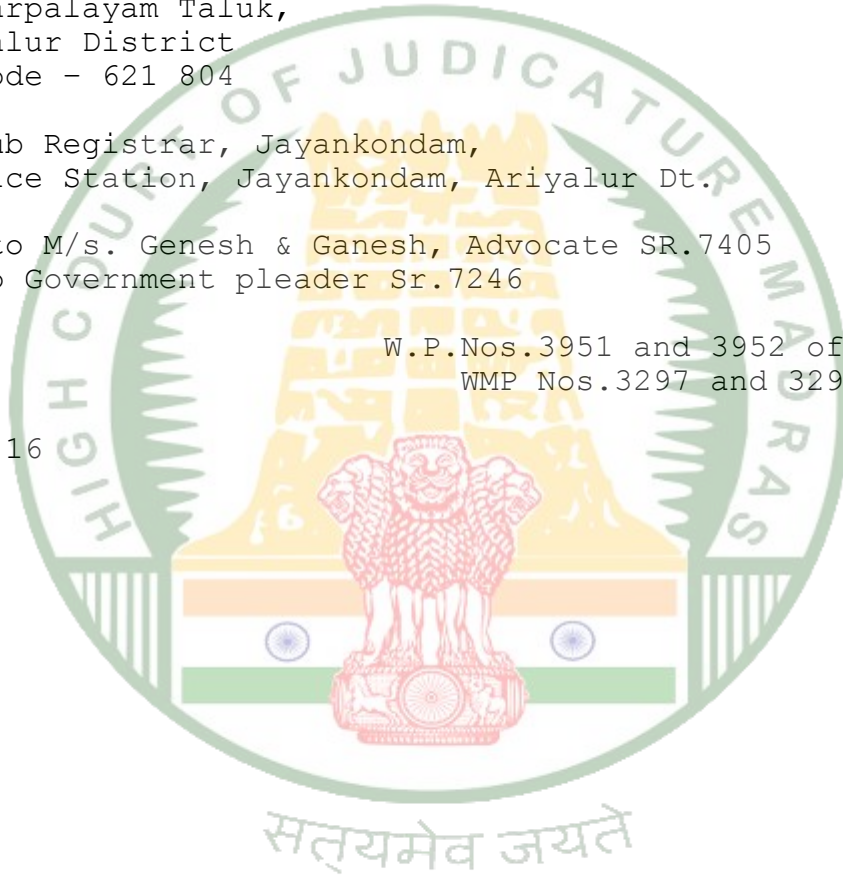
2. The Tahsildar
Udayarpalayam Taluk,
Ariyalur District
Pincode - 621 804

3. The Sub Registrar, Jayankondam,
Near Police Station, Jayankondam, Ariyalur Dt.

+ 2 ccs to M/s. Genesh & Ganesh, Advocate SR.7405
+ 1 cc to Government pleader Sr.7246

W.P.Nos.3951 and 3952 of 2016 and
WMP Nos.3297 and 3298 of 2016

RV(CO)
Eu 19.02.16



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